

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DREW HERIOT and
DREW PICTURES PTY LTD.,

Plaintiffs,

vs.

RHONDA BYRNE, THE SECRET LLC
(AKA TS HOLDINGS LLC), PRIME TIME
US INC., TS PRODUCTION HOLDINGS
LLC, TS PRODUCTION LLC,
TS MERCHANDISING LTD., and
ROBERT E. RAINONE, JR.,

Defendants.

Civil Case No. 08CV2272

The Honorable Suzanne B. Conlon

**REPLY DECLARATION OF ROBERT E. RAINONE, JR., IN SUPPORT OF
MOTION TO DISMISS OR, IN THE ALTERNATIVE, TO STAY PROCEEDINGS**

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RHONDA BYRNE, TS RER LLC
(erroneously named as "THE SECRET LLC"
and "TS HOLDINGS LLC"), PRIME TIME
US INC., TS PRODUCTION HOLDINGS
LLC, TS PRODUCTION LLC,
TS MERCHANDISING LTD., and
ROBERT E. RAINONE, JR.

I, ROBERT E. RAINONE, JR., declare as follows:

1. I am president of defendants Prime Time US Inc. and TS RER LLC. I am also managing director of defendant TS Production LLC. The matters set forth below are within my personal knowledge, and if called upon as a witness, I could and would testify competently thereto.

2. *The Secret* movie was made available worldwide for retail viewing over the Internet (using the technology of Vividas Pty. Ltd., an Australian company) on or about March 23, 2006. I have reviewed the records reflecting the initial Internet purchases of *The Secret* movie over the Internet. My review of those records reflects that in the first ten minutes after *The Secret* was first available for paid viewing over the Internet on March 23, the movie was streamed to viewers in Australia, Austria, Canada, Germany, India, Italy, the Netherlands, Norway, Poland, Spain, Sweden, Switzerland, the United Kingdom and the United States, and by the end of the first hour of availability the movie had also been purchased and viewed in Belgium, Denmark, Ireland and Israel. Between the second and 24th hour after launch the film was purchased and viewed in the following additional countries: Brazil, Finland, France, Greece, Iceland, Japan, Luxembourg, Malaysia, Malta, Mexico, Portugal Singapore, Slovakia, Slovenia, Thailand and Turkey. Online purchases of the film in the first 24 hours were from 34 countries.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
June 25, 2008


Robert E. Rainone, Jr.